

York, N. Y., June 16, 1928, and transported from the State of New York into the State of Illinois, and charging adulteration and misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of small amounts of phenol, tannin, glycerin, and alcohol and water, flavored with oil of peppermint. Bacteriological examination showed that the article was not antiseptic in the dilutions recommended upon the label.

It was alleged in the libel that the article was adulterated in that its strength fell below the professed standard under which it was sold, to wit, (bottle label) "Antiseptic * * * It should be used constantly in presence of infection of any kind. * * * As a daily antiseptic * * * for children or nurses exposed to infection, dilute with an equal portion of water;" (carton label) "Antiseptic * * * I use it constantly in presence of infection of any kind."

Misbranding was alleged for the reason that the following statements regarding the curative or therapeutic effects of the article, appearing on the container and on the shipping carton, (bottle label) "An * * * effective tonic for the fauces, gums and pharynx. It should be used constantly in presence of infection of any kind, and it is an invaluable prescription in the treatment of the various sore throats which are encountered. * * * Antiseptic * * * As a daily antiseptic and tonic mouth wash for children or nurses exposed to infection, dilute with an equal portion of water," (carton label) "Antiseptic * * * Results of Twenty Years' Use * * * An effective tonic for fauces, gums and pharynx. I use it constantly in presence of infection of any kind, and it is my stock prescription in the various sore throats we encounter," and (shipping carton) "Antiseptic," were false and fraudulent in that the said statements were applied to the article so as to represent falsely and fraudulently that it was effective as a remedy for the diseases, ailments, and afflictions mentioned therein.

On April 16, 1930, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

17160. Adulteration and misbranding of Fritch's vegetable soap. U. S. v. 3 Gross of Fritch's Vegetable Soap. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 24585. I. S. No. 030252. S. No. 2910.)

On March 3, 1930, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 3 gross of Fritch's vegetable soap, remaining in the original unbroken packages at Philadelphia, Pa., consigned by J. A. Fritch, St. Louis, Mo., alleging that the article had been shipped from St. Louis, Mo., on or about January 9, 1930, and transported from the State of Missouri into the State of Pennsylvania, and charging adulteration and misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of the soap made from palm nut oil perfumed with oil of citronella. Bacteriological examination showed that the article was not antiseptic.

It was alleged in the libel that the article was adulterated in that its strength fell below the professed standard or quality under which it was sold, namely, (wrapper and carton) "Antiseptic," (circular) "Not alone antiseptic, it is germicidal—a true germ destroyer."

Misbranding was alleged for the reason that the following statements appearing in the labeling were false and misleading: (Carton) "Fritch's Vegetable Soap * * * This is Nature's Own Remedy;" (wrapper) "Fritch's * * * Vegetable Soap Nature's Own Product Antiseptic;" (circular) "Fritch's Famous Vegetable Soap from Nature's Laboratory to you a Natural Vegetable Product * * * Nature's Own Relief for Skin Diseases and Other Annoying Affections * * * Soap bark. It is the inner bark of the soap tree, botanically termed 'Quellaja Saponaria,' * * * I have perfected a process for extracting the soap from this bark and solidifying it. * * * I am only offering you Nature's own vegetable product in a modern, convenient form. * * * Not alone antiseptic, it is germicidal—a true germ de-

stroyer, * * * being both an antiseptic and a stimulant." Misbranding was alleged for the further reason that the following statements regarding the curative or therapeutic effects of the article, appearing in the labeling, were false and fraudulent since the said article contained no ingredient or combination of ingredients capable of producing the effects claimed: (Carton) "In combating unhealthy conditions of the skin; it is indicated in Eczema, Tetter, Rashes, * * * Barber's Itch, and Similar Irritations of the skin and Scalp. * * * acne, ringworm, salt-rheum, scrofulous or chronic sores on any part of the body, itch, * * * itching humors;" (wrapper) "Indicated in the treatment of Scald Head, Eczema, Rashes, Scrofulous or Old Sores, Tetter, Barbers' Itch * * * all Humors of the Skin and Scalp;" (circular) "A Never-Failing Remedy * * * For Skin Diseases and Other Annoying Affections * * * a soap supplied by nature * * * Being a natural vegetable product, it is constructive in its action, breaking down diseased, ulcerated tissues, building up new granulations, * * * restoring them to their normal vigor and health. * * * *pus cannot and does not exist where used.* * * * so powerful in eradicating the discharges of the most extensive and gangrenous ulcerations that its beneficial effects are apparent from the first application. Unsightly skin diseases * * * If you are a sufferer from any of these annoying, disfiguring affections, commence to get well today by using Fritch's Famous Vegetable Soap. * * * Rules for Skin Health * * * it embodies healing properties—Nature's own— * * * It imparts to the entire body that glow of perfect health, so much desired by both old and young. * * * Pimples, Blotches * * * Acne or pimples * * * there is but one sure, absolute relief * * * for arresting the pimples * * * Fritch's Famous Vegetable Soap Paste. * * * This Soap Paste has relieved the most aggravated cases in several weeks, after the best treatments have failed. * * * If you have * * * raw, * * * swollen * * * feet * * * bunions, Fritch's Famous Vegetable Soap will give you a happy foot feeling. * * * Running Sores, Ulcers, Chronic Ulcers, and running sores, exceedingly painful and constantly discharging pus and blood, are healed as if by a miracle by the use of Fritch's Famous Vegetable Soap. Cases are reported where the sore had extended almost completely around the limb—permanently healed in five and six weeks. * * * have found this soap to be the most reliable and only sure means for the alleviation of these stubborn, festering sores. Chronic ulcers, Rapid Healing Follows Its Use * * * this soap arrests and prevents the formation of pus and matter * * * and even in the most extensive and deepest burns, ulceration and gangrene are prevented, and the parts heal quickly with no scar. * * * Eczema, Scaly Eruptions * * * nature here again provides the best remedy in Fritch's Famous Vegetable Soap; no unsightly tormenting skin trouble, no matter how bad, seems to baffle this really wonderful soap. Stops Burning, Itching, Scratching at once * * * The relief is quick, the itching and burning cease; the soap, by striking into the diseased parts, soothes and heals, and the tortured, inflamed, irritated skin is restored to its normal, healthy condition * * * [under heading 'Good For Beast As Well As Man'] It stimulates the skin, puts it in good, healthy condition, and makes the hair silky and glossy. In Mange and other dog diseases it quickly kills the parasite and gives the skin a chance to heal and take on a new growth of hair * * * in the various skin eruptions of animals of all kinds with continued and unvaried success. [Cut of horse] Thrush, which is a suppurating inflammation of the lower structure of the frog, throwing off an acrid, offensive pus, finally resulting in canker and loss of the hoof, is quickly arrested. [Cut of specimen of ringworm and word 'Ringworm' and cut of animal hoof and words 'Stops Scratches'] The worst cases make a complete recovery in a few days. [Cut of horse and words 'Collar Galls, Running Sores'] Scratches: as soon as you notice that the pasterns are swollen, hot, tender and cracked, attend to them at once. [Cut of hoof of animal and words 'Bad case of Grease'] * * * It will relieve these cases promptly, and if any mange parasites are here, will kill them off. Grease is scratches in its worst form * * * You will soon find the trouble has entirely disappeared [Cut of dog and words, 'Just the thing for Mange'] Chafings, Collar and Saddle Galls: as a rule little attention is paid to these troubles until they get bad, the hair falls off and sores and abscesses form. Bathe the ulcers * * * the back or shoulder will be well again. [Cut of hoof and words 'Dry and Contracted Hoofs'] This wonderful soap is good for mange of horses for making hot fomentations for strains, for

keeping the sheath and yard clean, Sore Mouth, Sponging the Nostrils in Acute Catarrh, Ringworm, and various other diseases. Don't neglect your stock when they can be so readily relieved with Fritch's Famous Vegetable Soap, [under heading 'Physicians Everywhere Endorse it'] For Healing * * * sores, facial blemishes, etc. Fritch's Famous Vegetable Soap cannot be surpassed. * * * I have found Fritch's Famous Vegetable Soap one of the best aids in curing old sores and skin diseases."

On April 7, 1930, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

17161. Adulteration and misbranding of acidophilus bacillus cultures. U. S. v. 34 Bottles of Pure Living Cultures of Acidophilus Bacillus Liquid. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 24590. I. S. No. 027531. S. No. 2947.)

On March 6, 1930, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 34 bottles of cultures of acidophilus bacillus liquid, remaining in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by the H. K. Mulford Co., from Philadelphia, Pa., on or about February 6, 1930, and transported from the State of Pennsylvania into the State of New York, and charging adulteration and misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it contained no viable lactobacilli.

It was alleged in the libel that the article was adulterated in that it was sold under the following standard of strength, (bottle label) "Pure Living Cultures Acidophilus Bacillus Liquid," (carton label) "Acidophilus Bacillus Liquid A whey culture of B. Acidophilus * * * Each cc contains approximately 50 million organisms at the time of sale," and (circular) "Acidophilus Bacillus * * * The Mulford Acidophilus Bacillus products are viable cultures of high bacterial content, containing authentic strains of the organism, viz., *B. acidophilus*. The liquid cultures, owing to their inhibitory power against other organisms * * * Acidophilus Bacillus is marketed in liquid cultures containing at least 50 million viable Acidophilus bacilli per cc at the time of sale * * * Acidophilus Bacillus Liquid Pure living culture of *Lactobacillus acidophilus*," and the strength of the article fell below such professed standard, in that it contained no viable lactobacilli.

Misbranding was alleged for the reason that the above-quoted statements borne on the labels were false and misleading, since the article contained no viable lactobacilli. Misbranding was alleged for the further reason that the article was an imitation of and was offered for sale under the name of another article, namely, "Acidophilus Bacillus Liquid A whey culture of B. Acidophilus." Misbranding was alleged for the further reason that the following statements appearing in the labeling, regarding the curative or therapeutic effects of the article were false and fraudulent, since it contained no ingredient or combination of ingredients capable of producing the effects claimed: (Carton) "Physicians desiring to prescribe an easily digested milk diet will find these cultures of value given with the milk * * * As a preventative of intestinal fermentation and putrefaction;" (circular) "For the Prevention and Treatment of Toxic Conditions Due to Intestinal Putrefaction * * * The liquid cultures, owing to their inhibitory power against other organisms * * * Bacillus acidophilus is indicated in the treatment of constipation, diarrhea, mucous colitis and intestinal toxemias. * * * The beneficial effects produced by Acidophilus Bacillus Liquid * * * physicians supplement the oral use of Mulford Acidophilus Bacillus Blocks by prescribing high enemas containing Acidophilus Liquid Mulford * * * with the * * * aim of * * * implanting B. acidophilus. * * * Mulford Acidophilus Liquid lends itself to colonic implantation. For each treatment the contents of the 100 cc bottle will suffice."

On March 25, 1930, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*